

**FILED**

**OCT 31 2019**

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
IN THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE: FACEBOOK INC. CONSUMER CASE NO: 3:18-MD-02843-VC  
PRIVACY USER PROFILE  
LITIGATION**

**SUPPLEMENT TO  
FIRST CASE MANAGEMENT STATEMENT**

**PLAINTIFF ROBERT ZIMMERMAN AND  
UXOR PRESS'S CASE MANAGEMENT  
STATEMENT WITH REGARD TO  
DEFENDANT FACEBOOK INC.'S  
ADMINISTRATIVE MOTION TO RELATE  
CASE NO. 3:19-cv-04591-WHOTO CASE NO.**

*ne*  
**3:18-md-02843-VC**

Robert Zimmerman, and Uxor Press  
Plaintiffs,

v.

Facebook, Inc., Mark Zuckerberg,  
Sheryl Sandberg, John and Jane Does  
Defendants.

**ADDITIONAL REASONS WHY PLAINTIFF'S LAWSUIT SHOULD NOT BE  
INCORPORAED INTO THE MDL**

1. After a lengthy discussion with lead counsel for the MDL Plaintiffs October 29, 2019,

Plaintiffs Robert Zimmerman and Uxor Press respectfully submit this Supplement to their

- 1 -

initial Case Management Statement in order to provide this Court with further information as to why Plaintiff's case should not be consolidated into the MDL.

2. To date Plaintiff Zimmerman has not received permission to participate in the November 4, 2019 Case Management Conference by telephone, live wire, and the Joint Case Management Statement recently filed with this Court not even once addresses Plaintiffs Robert Zimmerman and Uxor Press's lawsuit.
3. Even though they suggested submission of this Supplement to the Court, lead counsel for the MDL Plaintiffs would not even agree to electronically submit this Supplement to the Court, thus forcing such submission by overnight mail with only the morning of October 30, 2019 to construct this Supplement.
4. Plaintiffs Robert Zimmerman and Uxor Press lawsuit differs from the MDL lawsuits primarily because Facebook, without justification, blocked access to their Facebook accounts, accounts that they had planned to use and did use to promote their books and political ideas, which blockage continues to this day and has caused them substantial monetary and emotional damages, whereas lead counsel for the MDL lawsuits have yet to determine how they will address the subject of damages for their hundreds, if not thousands, of purported claimants, most of whom, unlike Plaintiffs Robert Zimmerman and Uxor Press, have invested nothing in furtherance of their claims, whereas Plaintiffs Robert Zimmerman and Uxor Press have invested heavily toward the prosecution of their lawsuit.
5. In his recent testimony before the U.S. House, Facebook Plaintiffs Robert Zimmerman and Uxor Press lawsuit CEO Mark Zuckerberg admitted that certain Facebook accounts

- 2 -

were blocked in error and elsewhere he and COO Sheryl Sandberg have admitted other serious errors that damaged Plaintiffs Robert Zimmerman and Uxor Press.

6. Even though there is some overlap with the MDL lawsuits, discovery will be very different because many of the issues raised by Plaintiffs Robert Zimmerman and Uxor Press are unrelated to the “Cambridge Analytica scandal” and their discovery requests, after months of preparation are ready to go. And will rely on requests for admissions to narrow the law and the facts contained in Plaintiff’s Complaint.
7. To date, the MDL class actions have not been certified and if they are it is likely that certification will be appealed and it is likely that the MDL lawsuits will not settle or be finally resolved for many years, which unduly prejudices Plaintiff Zimmerman who is now 79 years old and has numerous maladies including a heart condition and cancer and could die or otherwise become incapacitated long before the MDL lawsuits are finally resolved.
8. Because serious issues have recently been raised regarding Facebook’s admission that they will allow political candidates to advertise lies, disinformation and misinformation, Plaintiffs Robert Zimmerman and Uxor Press have requested that this Court issue a preliminary injunction precluding Facebook from accepting political ads throughout the 2020 U.S. presidential election cycle. A person recently registered to run for governor of California for the sole expressed purpose of purchasing ads on the Facebook platform to spread lies, misinformation and disinformation. And approximately 250 brave Facebook employees recently Facebook CEO Mark Zuckerberg in which they express their dismay at his decision to permit political candidates to spread lies on the Facebook platform.

**WHEREFORE:** Given the totality of the circumstances addressed above and in the First Case Management Statement, and the fact that Plaintiff has invested considerable resources in prosecuting his lawsuit and has agreed to coordinate with lead counsel for Plaintiffs in the MDL, Plaintiff's lawsuit should not be consolidated into the MDL. Plaintiff Zimmerman deserves to proceed with his lawsuit against the Facebook Defendants before he dies or becomes incapacitated.

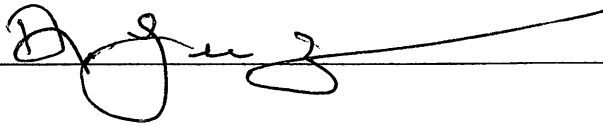
DATED: October 30, 2019 and respectfully submitted by:

Robert Zimmerman and Uxor Press, both at 329 Sandpiper Lane, Hampstead, NC 28443

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Email: [BobZimmerman@USA.com](mailto:BobZimmerman@USA.com)

By: \_\_\_\_\_



**CERTIFICATE OF SERVICE**

I, Robert Zimmerman, hereby certify that on October 30, 2019 I caused this Supplemental Case Management Statement to be filed by with the Clerk of the United States District Court for the Northern District of California and Gibson, Dunn & Crutcher LLP's Joshua Lipshultz, lead counsel for Facebook Defendants, using first class mail at 1050 Connecticut Avenue, N.W. Washington, D.C 20036-5306.



Robert Zimmerman

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